

Pennsylvania

Enacted Legislation

Name (bill number)	Year	PFAS Addressed	Agency Responsible	Summary of Action	Citation
Senate Resolution No. 384	2016	PFOS and PFOA	N/A	Resolution urging federal government to expeditiously determine if a Federal drinking water standard should be issued for PFOSs and PFOAs. Further urge the President and the Congress to work with the Commonwealth of Pennsylvania to take all necessary action to ensure that the communities impacted by PFAS contamination from firefighting training on two former bases, Willow Grove Naval Air Station Joint Reserve Base in Horsham and Naval Air Warfare Center Warminster, have safe drinking water.	Adopted June 8, 2016
House Resolution No. 916	2016	PFOS and PFOA	N/A	Urging the EPA and DOD to take all necessary action to ensure that the residents of certain counties have safe drinking water, to discover the extent of the contamination, provide complete remediation, fully evaluate the health consequences and to provide ongoing biomonitoring to residents and military personnel who have been exposed to the water contamination from compounds previously used at the former Willow Grove Naval Air Station Joint Reserve Base.	Adopted June 8, 2016

2019 Act 101 (H.B. 1410) - Military Installation Remediation Program	2019	Per- and Polyfluoroalkyl Substances	Pennsylvania Infrastructure Investment Authority (PennVEST)	Required that the Authority establish the Per- and Polyfluoroalkyl Substances Remediation Program. The purpose of the program is to provide funding to water providers for remediation costs relating to the presence of PFAS in drinking water which are not related to the presence of a qualified former military installation.	73 P.S. § 850.351.1
2020 Act 114 (H.B. 2536)	2020	Per- and Polyfluoroalkyl Substances	Pennsylvania Infrastructure Investment Authority	Appropriated \$3,970,600 in funding for the 2020-2021 fiscal year to the PennVEST to fund projects to ensure clean drinking water to address PFAS chemical contamination in a township of the first class with a population between 55,000 - 56,000 that is also located in a count of the Second Class A.	

Enacted Regulations

Name	Year	PFAS Addressed	Authorizing Statute	Summary of Action	Citation
PFAS MCL Rule	2023	PFOS and PFOA	Pennsylvania Safe Drinking Water Act (35 P.S. § 721.1 et seq)	Established maximum contaminant levels (MCLs) for two PFAS – PFOA and PFOS – in drinking water. MCL for PFOA is 14 ng/L and for PFOS is 18 ng/L. Imposes monitoring and reporting requirements that began for systems serving more than 350 people in January 2024, and will begin for systems serving less than 350 people in January 2025. The PFAS MCL Rule also establishes MCL violations as a Tier 2 violation requiring issuance of Tier 2 public notice and results must be reported in their annual Consumer Confidence Report (CCR). Under this rulemaking, monitoring requirements are	25 Pa. Code Chapter 109. DEP website.

				applicable to bottled, vended, retail, and bulk systems. Therefore, bottled water in PA is required to follow PA PFAS monitoring requirements.	
Statewide health standard medium-specific concentrations	2021	PFBS, PFOS, PFOA	Land Recycling and Environmental Remediation Standards Act (Tit. 35, Ch. 291)	The Land Recycling Program (Act 2) establishes environmental remediation standards for cleanups related to specific environmental laws. The Pennsylvania Department of Environmental Protections develops statewide health standards to guide voluntary cleanup and reuse of contaminated sites. The DEP added MSCs for three types of PFAS in groundwater and soil.	25 Pa. Code § 250.304; 25 Pa. Code Chapter 250 Appendix A (Tables 1 - 3). See also website .

Other Administrative Action (executive orders, fish advisories, drinking water advisories)

What	Year	Who	PFAS Addressed	Summary of Action
Executive Order 2018-08	2018	Governor Wolf	Per- and Polyfluoroalkyl Substances	Established the PFAS Action Team.
PFAS Action Team	2018	Chaired by DEP		The EO created the PFAS Action Team, a multi-agency group tasked with, among other things, developing a comprehensive response to identify and eliminate sources of contamination, ensure drinking water is safe, manage environmental contamination, review gaps in data and oversight authority and recommend actions to address those gaps. Initial Report in December of 2019. Website .
Fish Consumption Advisory	2021	PDA, DEP, DOH, Pennsylvania Fish and Boat Commission	PFOS	Announced a “DO NOT EAT” advisory for all fish species caught in the Neshaminy Creek basin in Bucks and Montgomery counties due to extremely high levels of PFOS. Levels detected in fish tissue samples from the Neshaminy Creek watershed had levels over the 0.2 parts per million Do Not Eat advisory level.

Other State Actions (fact sheets, planning, research, etc)

What/Title	Year	PFAS Addressed	Who	Summary of Action
PFAS Sampling Plan	2019	See the sampling plan results for a list of all analytes.	DEP Bureau of Safe Drinking Water	The DEP Bureau of Safe Drinking Water's PFAS Sampling Plan was developed and posted to the Department's PFAS webpage in April of 2019, with samples collected from May of 2019 through March of 2021. The plan prioritized public water system (PWS) sites for PFAS sampling to generate Statewide occurrence data, which informed development of Pennsylvania's PFAS MCL Rule.

Proposed Legislation

Bill Name	Year	PFAS Addressed	Summary of Action	Status
SB 852	2017	PFOA/PFOS	Would add PFOA and PFOS to definition of hazardous substances for purposes of cleanup. Would authorize Governor to declare any municipality a special drinking-water-resource-impacted community if PFOA/PFOS present in water above certain level.	Referred to Environmental Resources & Energy, Aug. 29, 2017. Died in Committee.
HB 1640	2017	PFOA/PFOS	Would grant Governor to declare special drinking water resource impacted communities due to PFAS contamination and authorize PennVEST to issue grants to such communities.	Referred to Environmental Resources & Energy, June 29, 2017. Died in Committee.
HB 1759	2017	PFOA/PFOS	Would add PFOA and PFOS to definition of hazardous substance and provide authority to PA DEP or Governor to declare equivalent compounds as hazardous substances. Would provide that no municipality shall be determined to be a responsible party under the act.	Referred to Environmental Resources & Energy, May 18, 2017. Died in Committee.
HB 674	2019	Perfluorooctane, Perfluorooctanoic acid	Requires the Environmental Quality Board to set maximum drinking water contaminant levels for Perfluorooctane and Perfluorooctanoic acid of 5 parts per trillion.	Referred to Environmental Resources & Energy, March 1, 2019. Died in Committee.

HB 675	2019	PFOA/PFOS	Would define any element, compound, or material at the US EPA health advisory levels for PFOA and PFOS as a hazardous substance.	Referred to Environmental Resources & Energy, March 1, 2019. Died in Committee.
HB 1226	2019	PFOA/PFOS	Would add PFOA and PFOS to definition of hazardous substance and provide authority to PA DEP or Governor to declare equivalent compounds as hazardous substances. Would provide that no municipality shall be determined to be a responsible party under the act.	Referred to Local Government, April 29, 2019. Died in Committee.
HB 1364	2019	PFOA/PFOS	<i>Same as 852</i> Would add PFOA and PFOS to definition of hazardous substances for purposes of cleanup. Would authorize Governor to declare any municipality a special drinking-water-resource-impacted community if PFOA/PFOS present in water above certain level.	Referred to Environmental Resources & Energy, May 29, 2019. Died in Committee.
HB 1585	2019	Per- and Polyfluoroalkyl substance	Would have enabled the Pennsylvania Infrastructure Investment Authority to use appropriated funding for a Perfluorinated Compound Remediation Program to provide grants to treat PFAS in drinking water.	Referred to Environmental Resources & Energy, June 6, 2019. Died in Committee.
HB 2128	2019	Perfluorooctane Sulfonate, Perfluorooctanoic Acid and other Per- and Polyfluoroalkyl substance	Would required Environmental Quality Board establish Maximum Contaminant Levels (MCLs) for PFOA, PFOS, and other PFAS substances, and other chemicals in drinking water.	Referred to Environmental Resources & Energy, Dec. 16, 2019. Died in Committee

SB 581	2019	Polyfluoroalkyl or perfluorinated substances	Would establish MCL for PFAS in drinking water of 10 ppt.	Referred to Environmental Resources & Energy, April 22, 2019. Died in Committee.
SB 582	2019	Polyfluoroalkyl or perfluorinated substances	Would classify PFAS as a hazardous substance for purposes of cleaning up hazardous sites. Would grant Governor to declare special drinking water resource impacted communities and authorize PennVEST to issue grants to such communities. Would establish testing and notification requirements.	Referred to Environmental Resources & Energy, April 22, 2019. Died in Committee.
SB 725	2019	Per- and Polyfluoroalkyl substance	Would have enabled the Pennsylvania Infrastructure Investment Authority to use appropriated funding for a Perfluorinated Compound Remediation Program to provide grants to treat PFAS in drinking water.	Referred to Environmental Resources & Energy, June 6, 2019. Died in Committee
SB 919	2019	PFAS Chemicals - "A fluorinated organic chemical that contains at least one fully fluorinated carbon atom and is designed to be fully functional in formulations of class B firefighting foam.	Would prohibit the discharge of class B firefighting foam that contains an intentionally added PFAS for testing or training purposes, with certain exceptions.	Referred to Environmental Resources & Energy, Oct. 22, 2019. Passed out of the Senate and referred to House Environmental Resources & Energy, Oct. 30, 2019. Died in Committee.

SB 302	2021	PFAS Chemicals - “A fluorinated organic chemical that contains at least one fully fluorinated carbon atom and is designed to be fully functional in formulations of class B firefighting foam.	Would prohibit the discharge of class B firefighting foam that contains an intentionally added PFAS for testing or training purposes, with certain exceptions. Would also require manufacturers of personal protective equipment for fire prevention or control to affix a warning label.	Referred to Environmental Resources & Energy, March 10, 2021. Passed out of Senate and referred to House Committee on Veterans Affairs & Emergency Preparedness, Sept. 22, 2021. Died in Committee.
SB 611	2021	PFAS, including, but not limited to, perfluorooctane sulfonate, perfluorooctanoic acid, perfluorononanoic acid and perfluorohexane sulfonic acid	Would have established under the Pennsylvania Safe Drinking Water Act of a MCL of 10 ppt for PFAS.	Referred to Environmental Resources & Energy, April 27, 2021. Died in Committee
SB 1351	2022	Perfluoroalkyl and polyfluoroalkyl substances	Would have prohibited the manufacture, distribution, and sale of food packaging containing PFAS chemicals.	Referred to Agriculture & Rural Affairs, Oct. 3, 2022. Died in Committee.
HB 1166	2021	PFAS Chemicals - “A fluorinated organic chemical that contains at least one fully fluorinated carbon atom and is designed to be fully functional in formulations of class B firefighting foam.	Would prohibit the discharge of class B firefighting foam that contains an intentionally added PFAS for testing or training purposes, with certain exceptions.	Referred to Veterans Affairs & Emergency Preparedness, April 14, 2021. Died in Committee.

HB 1965	2021	Perfluoroalkyl and polyfluoroalkyl substances	Would have prohibited the distribution or sale of food packaging containing perfluoroalkyl or polyfluoroalkyl substances.	Referred to Agriculture & Rural Affairs, Oct. 8, 2021. Died in Committee.
SB 144	2023	PFAS Chemicals - “A fluorinated organic chemical that contains at least one fully fluorinated carbon atom and is designed to be fully functional in formulations of class B firefighting foam.	<i>Same as SB 302</i> Would prohibit the discharge of class B firefighting foam that contains an intentionally added PFAS for testing or training purposes, with certain exceptions.	Bill passed out of the Senate in March 2023, and was referred to House Committee on Veterans Affairs & Emergency Preparedness.
SB 612	2023	PFOA, PFOS, PFHxS, PFNA	Would add types of PFAS to the definition of hazardous substance under the Pennsylvania Hazardous Sites Cleanup Act.	Referred to Environmental Resources & Energy, Sept. 7, 2023
SB 997	2023	Perfluoroalkyl and polyfluoroalkyl substances	Would Amend Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes to require well operators to provide written declaration to the department that the chemical product used during well stimulation contains no intentionally added PFAS chemicals.	Referred to Environmental Resources & Energy, Dec. 8, 2023.

HB 683	2023	PFAS Chemicals - “A fluorinated organic chemical that contains at least one fully fluorinated carbon atom and is designed to be fully functional in formulations of class B firefighting foam.	<i>Same as SB 144.</i>	Referred to House Committee on Veterans Affairs & Emergency Preparedness.
HB 1122	2023	Perfluoroalkyl or Polyfluoroalkyl substances	Would prohibit distribution or sale of food packaging containing perfluoroalkyl or polyfluoroalkyl substances present in any amount.	Referred to Agriculture & Rural Affairs, May 5, 2023
HB 1541	2023	PFAS Chemicals - A fluorinated organic chemical that contains any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances.	Would prohibit, beginning January 1, 2028, the distribution, manufacture, or sale of firefighting personal protective equipment that contains an intentionally added PFAS chemical.	Referred to Veterans Affairs & Emergency Preparedness, June 29, 2023
HB 1571	2023	PFOS and PFOA	Would require manufacturers of personal protective equipment for firefighting entities containing PFAS chemicals to affix a warning label to the product that indicates that the product contains PFOS or PFOA. Enforcement would be vested with the Office of the State Fire Commissioner.	Referred to House Committee on Veterans Affairs & Emergency Preparedness.

HB 2238	2024	PFAS Chemicals - A substance that contains any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances.	Would prohibit the manufacture or sale of certain covered consumer products that contain an intentionally added PFAS chemical after January 2027. Would impose registration and disclosure requirements on manufacturers.	Referred to Committee on Environmental Resources and Energy, April 29, 2024. Recommitted to rules June 11, 2024.
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Proposed Regulation

What/Title	Year	PFAS Addressed	Summary of Action	Status
Chapter 250 Amendments	2024	Five compounds in PFAS family.	The Environmental Quality Board (Board) proposes to amend Chapter 250 (relating to administration of land recycling program) to groundwater and soil MSCs for five compounds in the per- and polyfluoroalkyl substances (PFAS) family (hexafluoropropylene oxide (HFPO) dimer acid, HFPO dimer acid ammonium salt (Gen-X), perfluorobutanoic acid (PFBA), perfluorohexanoic acid (PFHxA), and perfluorobutane sulfonate (PFBS) potassium salt) and update the values for three others (PFBS, perfluorooctane sulfonate (PFOS), and perfluorooctanoic acid (PFOA)).	Proposed rule published July 13, 2024. Public comment period closes on September 11, 2024.

Cases

Perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA), which came from facilities owned and operated by United States Navy and which infiltrated landowners' private wells, did not constitute “hazardous substances” under Pennsylvania's Hazardous Sites Cleanup Act (HSCA), as necessary for landowners to collect costs of medical monitoring in action brought against Department of the Navy; although landowners argued that such substances met definition of “hazardous substances” provided in Pennsylvania's Solid Waste Management Act, they were not designated as hazardous waste in such Act or in Code of Federal Regulations, which Pennsylvania Code largely incorporated by reference. [Giovanni v. United States Department of the Navy, E.D.Pa.2020, 433 F.Supp.3d 736.](#)